CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

OCTOBER 5, 2010

INVOCATION:
Director of Community Development Appel gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Patino, Zacarías, and Mayor Lavagnino.

MEMBERS ABSENT:
Councilmember Orach

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Fire Chief Jones, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Police Chief Macagni, Director of Community Development Appel, Director of Recreation and Parks Posada, Director of Administrative Services Visé, Community Programs Manager Coelho-Hudson, and Chief Deputy City Clerk Perez.

PROCLAMATION – 4TH ANNUAL NATIONAL ENERGY DAY
Councilmember Cordero read a proclamation declaring October 12, 2010, as the "4th Annual National Energy Day" in the City of Santa Maria and encouraging people across the community to participate in conservation and energy efficiency to help reduce energy demand. The proclamation was accepted by Kathy Staples of the Santa Barbara County Energy Coalition.

PROCLAMATION – EMPLOYMENT DISABILITIES AWARENESS MONTH
Councilmember Zacarías read a proclamation declaring the month of October 2010, as "Employment Disabilities Awareness Month" in the City of Santa Maria and expressing thanks and appreciation to *The Opportunity Expo Coalition* for their many contributions to our community. The proclamation was accepted by Mary Hernandez.

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH
Councilmember Patino read a proclamation declaring the month of October 2010, as "Domestic Violence Awareness Month" in the City of Santa Maria and urging all residents to observe this month by becoming aware of the tragedy of domestic violence, supporting those who are working toward its end, and participating in community efforts. No one was present to accept the proclamation.

PUBLIC COMMENT
Richard Dydell spoke about the problems the City confronts with illegal immigration. He asked the Council to pass a resolution at a future meeting requesting the Board of Supervisors study the feasibility of the H-2A Ag Worker Program.

Marty Mariscal commended the City Clerk's office for doing a great job with regard to the upcoming November City Council election. He said when he submitted his Campaign Expenditure form, he had the opportunity to view other candidates' forms. He said the Santa Maria Police Officers' Association PAC had spent more than $42,000 on behalf of two candidates for City Council. They didn't spend a penny of that money to support any local businesses. He asked that the SMPOA PAC spend the remaining

money they have with local businesses to help the local economy. He asked the other candidates to support local businesses and spend their campaign money locally.

Ernest Armenta spoke about a flyer distributed by candidate Jack Boysen which showed a City vehicle in front of the City Police Department and asked who gave him permission to do that. He said he urged the Fire Fighters Association to not support any candidates and not get involved in politics, and they chose not to listen to him. He said he would be opposing Measure S and would be supporting Marty Mariscal and Alice Patino for City Council.

CONSENT CALENDAR
Councilmember Cordero requested Item 3E be pulled for comment.

Item 3E – Ordinance No. 2010-07 approving a zone change and specific plan amendment for the Heritage at Westgate Ranch project.

Councilmember Cordero stated he was the lone dissenting vote on this project at the last meeting. He was contacted by one of the speakers at two local events, and he was treated very professionally by that person. It was a good example of how people should be able to disagree.

Consent Calendar Items 3A through 3H were approved on motion by Councilmember Patino, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Orach
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of September 21, 2010, were approved as submitted.

C. WARRANTS
Warrant Nos. 161611 to 161874 totaling $1,133,740.35 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 153021, 153082, 153093, 153162, 161352, 161353, 161354, and 161519 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. ADOPTION OF ORDINANCE 2010-07
The City Council conducted the second reading and adopted Ordinance No. 2010-07 for the General Plan Amendment, Zone Change, and Specific Plan Amendment for the Heritage at Westgate Ranch Project, located north of Battles Road, south of La Brea Avenue, east of "A" Street, and west of Blosser Road, Assessor's Parcel No. 117-240-029, GPZ-2010-002, SPZ-2010-001 and E-2010-021 (52.6 Acres).

Ordinance No. 2010-07 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE BLOSSER-SOUTHWEST SPECIFIC PLAN LAND USE PLAN, ZONING MAP, SECTIONS 2 AND 3 OF THE BLOSSER-SOUTHWEST SPECIFIC PLAN AND REZONING FOR THE HERITAGE AT WESTGATE RANCH PROJECT, GPZ-2010-002, SPZ-2010-001, E-2010-021, LOCATED NORTH OF BATTLES ROAD, SOUTH OF LA BREA AVENUE, EAST OF "A" STREET, AND WEST OF BLOSSER ROAD.

F. ADOPTION OF ORDINANCE 2010-08

The City Council conducted the second reading and adopted Ordinance No. 2010-08 for the General Plan Amendment, Zone Change, and Specific Plan Amendment for the Siena Apartments, located at the northwest corner of Blosser Road and Sonya Lane, various Assessor's Parcel Numbers, GPZ-2010-001, SPZ-2010-001 and E-2010-013 (10.75 acres).

Ordinance No. 2010-08 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP, THE BLOSSER-SOUTHWEST SPECIFIC PLAN LAND USE PLAN/ZONING MAP AND SECTION 2 OF THE BLOSSER-SOUTHWEST SPECIFIC PLAN FOR THE SIENA APARTMENTS, GPZ-2010-001, SPZ-2010-001, E-2010-013, LOCATED AT THE NORTHWEST CORNER OF BLOSSER ROAD AND SONYA LANE.

G. NOTICE OF CONTRACT COMPLETION

The City Council approved a Notice of Contract Completion for Federal Stimulus Concrete Project #2 – Thornburg Street, Bid No. 2010/08 and directed the Chief Deputy City Clerk to record same.

H. ANNEX AND ASSESS PROPERTIES

Resolution Nos. 2010-117, 2010-118, and 2010-119 were adopted annexing and assessing fees to the SMAT Maintenance and Operations Facility and New Beginnings Church in the Southwest Landscape and Lighting District; Verizon Wireless in the South Miller Street/South College Drive Landscape and Lighting District; and the Depot Street Parcel Map, North Broadway Shopping Center, and Sharer Brothers Center in the Northwest Landscape and Lighting District

Resolution No. 2010-117 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO SMAT M&O FACILITY AND NEW BEGINNINGS CHURCH LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

Resolution No. 2010-118 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO VERIZON WIRELESS LOCATED IN THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

Resolution No. 2010-119 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO DEPOT STREET PARCEL MAP, NORTH BROADWAY SHOPPING CENTER, AND SHARER BROS. CENTER LOCATED IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

PRESENTATION AND RESOLUTION OF SUPPORT FOR PROPOSITION 22, THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010. Dave Mullinax, League of California Cities, gave a brief presentation regarding Proposition 22 on the November 2, 2010, ballot to prevent future shifts by the State of local revenues used for transportation, redevelopment or local government projects and services. Earlier this year, a coalition including the League of California Cities, California Transit Association and the California Alliance for Jobs, authored The Local Taxpayer, Public Safety, and Transportation Act of 2010. This initiative constitutional amendment successfully qualified for the November 2010 General Election after over 1.1 million signatures were gathered. If approved by voters, Proposition 22 will strengthen the principles of Propositions 1A approved in 2004 and 2006 by closing their loopholes, and prevent future shifts (taking, borrowing, redirecting) of local revenues used for transportation, redevelopment or local government projects and services, for statewide uses. This will protect City revenues. The impact to the City of Santa Maria's revenues has been substantial. More than $25 million in property taxes

have been redirected away from the City of Santa Maria by the State since the mid-1990s. The City was forced to pay $460,000 in redevelopment funds last year and will pay $96,000 this year and next year, all of which is a direct negative impact to the General Fund.

This year, the State is once again facing a significant fiscal shortfall, a gap estimated at more than $19 billion, compared with last year's $26 billion gap.

Specifically, the constitutional initiative would, according to the voter guide prepared by the State's Attorney General: prohibit the State, even during a period of severe fiscal hardship, from delaying the distribution of tax revenues for transportation, redevelopment, or local government projects and services; eliminate State authority to temporarily shift property tax revenues from cities, counties, and special districts; prohibit the State from using Vehicle License Fee revenues to pay for State-imposed mandates; reduce the State's authority to borrow fuel tax funds; prohibit redirection of redevelopment property tax revenues; repeal State laws enacted after October 20, 2009, and before November 2, 2010, if they conflict with the measure; provide State reimbursement if the State violates any term of the measure.

Councilmember Zacarias stated she would not be supporting Proposition 22 for many reasons. She did not think it did exactly what it should do for everyone it should be doing it for. She said it did not provide protection at all the different levels. While there was a long list of organizations supporting it, there was also a long list of organizations who were not supporting it. She supported protecting revenue streams for the purposes they were intended, but she didn't think this would do that.

Mayor Lavagnino commented that what disturbed him the most was that when the State was short of money, they found a way to go to the Redevelopment Agencies and take a certain amount of money from each. The City's Redevelopment Agency did not have any money, but the State required the City to send them over $400,000 anyway. Even if Proposition 22 just fixed that, it would be better than what cities had now.

Councilmember Patino stated over the years they have put Band-Aids on Band-Aids. It was so important to send a message to Sacramento. Voters also needed to send a message to Sacramento. This Council had been so conservative over the years, and the State came in and raided City funds time after time.

Resolution No. 2010-120 was adopted affirming support of Proposition 22, the Local Taxpayer, Public Safety, and Transportation Act of 2010 on motion by Councilmember Patino, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Patino, and Mayor Lavagnino
NOES: Councilmember Zacarias
ABSENT: Councilmember Orach
ABSTAIN: None

Resolution No. 2010-120 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AFFIRMING SUPPORT OF PROPOSITION 22, THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010.

DEVELOPMENT AGREEMENT FOR COLE ENTERPRISES, LLC, 1525 WEST BETTERAVIA ROAD, TO ALLOW THE PHASED DEFERRAL OF PUBLIC INFRASTRUCTURE IMPROVEMENTS, SP-2010-021 AND E-2009-003.
Director of Community Development Appel gave the staff report. The City Council will consider a request to approve a development agreement for Cole Enterprises to allow the phased deferral of certain public infrastructure improvements. Staff has brought to the City Council a recommendation from the Planning Commission for approval of a development agreement. An alternative development agreement has been included in the agenda report which staff recommends the City Council approve, if the applicants agree to it during the hearing. Otherwise, staff recommends denial of the development agreement, which then requires the applicants to comply with all the original conditions from their Conditional Use Permit.

The heart of the issue is determining what conditions should be required for approval of a Conditional Use Permit for the Cole property. Staff required standard conditions, as they do with every project in the City. The owner objected, stating that the current uses were temporary and implementation of the conditions was too costly. The same type of uses had occurred onsite since at least the early 1990's, according to County records, so the current uses would not be considered temporary. Instead of accepting the conditions, the owners requested that they be allowed to process a development agreement. Under normal circumstances, a development agreement benefits the local agency as well as the developer. In this case, the development agreement, approved by the Planning Commission, only benefits the developer.

The 9.6-acre site was annexed into the City in November 2004. Shortly thereafter Code Compliance staff received complaints that confirmed that the violations noted by the County were still occurring. Those violations included: overnight camping/living in trailers, outdoor spray painting, outdoor heavy mechanical work and vehicle repair, and violations of the Air Resources Board. The property has had ongoing zoning violations while under County control.

On January 14, 2009, the applicants, Cole Enterprises, LLC filed an application for a Conditional Use Permit (U-2009-002) to legalize several unpermitted uses and activities that were occurring on the subject property. Some of the uses had been on-going zoning violations while the property was still in the County, prior to annexation. The property is divided into roughly twenty outdoor lease spaces. The leased tenant spaces include trucking operations and outdoor storage of various goods, equipment and materials. The Conditional Use Permit was originally discussed at the Planning Commission on October 7, 2009, and October 21, 2009. During the two public hearings, the applicants expressed objections to a number of standard conditions, including tree planting and bonding for future public improvements. A development agreement was requested by the applicants as an alternative method to defer the costs of some of the requisite public improvements.

On August 18, 2010, the Planning Commission held a public hearing to discuss the development agreement proposal. During the Planning Commission public hearing, the applicants expressed disagreement with the content of the draft development agreement as prepared by staff. The applicants continued to assert that the costs associated with the public street tree and roadway dedication would severely impair the economic viability of the Cole Enterprises operations. Staff pointed out that the source of the standard conditions placed on the CUP, as well as the development agreement was the Municipal Code. The Commission chose not to accept staff's recommendations for conditions in the development agreement. In response to the concerns expressed by the applicants, the Planning Commission adopted a Resolution recommending that the City Council adopt a greatly reduced version of the development agreement.

Mayor Lavagnino opened the Public Hearing.

Dave Cross, Fletcher Cross & Associates, spoke on behalf of the applicants. He said they have been going through this project for over a year and a half. At the Planning Commission meeting they went line-by-line through the development agreement to come up with one that would work to clean up the area and keep the applicant in business. The Planning Commission unanimously approved the reduced development agreement. The Coles want to be good neighbors. They have been working with Code Compliance to correct complaints. There are 17 businesses there. The Coles agreed to fix almost everything about a year ago after the first Planning Commission meeting. They were not allowed to do that unless they agreed to a list of conditions that would have put them out of business. The blight could have been mitigated a year ago, if this could have been worked out. The other adjacent properties have issues. It is not fair to try to tie them into the Coles project. We know that Area 9 is not configured the way it will be someday. It doesn't seem fair to require these property owners to do the improvements on "A" Street and Betteravia or to bond for the streets and street trees until development occurred. The Coles are not developers. They did not submit for development of any buildings. They did not even initiate this process. It started with a complaint and the requirement for a Conditional Use Permit. They can't afford to do above and beyond what the Planning Commission agreed to in the reduced development agreement. They can afford to do the fence and the improvements for the

Conditional Use Permit, but that is it. All these businesses are struggling. They have been providing commerce and employment for many years. Now is the time for the City to be flexible with them. He requested the City Council accept the Planning Commission's recommendation.

Nancy Cole, the applicant, stated the last couple of years they have been working with Bill Scott in the Community Development Department. He has been a great mediator. They have done everything he told them to do. They have become good neighbors. They do not want to develop the property. The decision tonight would affect the trucking business they have operated for 36 years. It would affect the livelihood of several owner/operators and small businesses. When they first started their business in Santa Maria, several landowners gave them reasonable rentals for their trucks. That was what they had tried to provide for other people. She hoped the Council would approve the Planning Commission's recommended ordinance.

Jason Sahagun stated he was the owner/operator of Central City Towing and Auto located on the Cole's property. In 2002-03, he began looking for property for a tow yard. The Cole's property met all the needs for his new towing company. In 2004, he was approved to tow on rotation for the California Highway Patrol. In 2005, he attempted to get on the City's towing rotation. He was told that the Cole's property was not the type of tow yard the City wanted. The Police Department was aware that his father was pursuing development of a tow and storage yard at 609 W. Betteravia. Upon completion of that tow and storage yard, he would be added to the City's rotation. He had been working hard to keep his business above water until his father's tow and storage yard was completed. They were close to reaching their goal. He asked the City Council to grant an extension or reprieve to allow businesses on the Cole's property to continue in order to weather the recession.

Stuart Knotts stated when you drove around town, there were businesses all over town closing their doors. Seven out of ten businesses were a hiccup from closing their doors. This was not the time to impose expensive conditions on this business that would drive them out of business and take food out of the mouths of a lot of people who work there.

Joe L. Smith stated he had a small business on the Cole's property. He hoped that the Council would consider the businesses, and that this would come out okay so Santa Maria would win and the Coles would win. If they were forced out of business, no one would win.

Councilmember Zacarías thanked the people for coming and speaking on the issue. She asked if the code compliance issues had been resolved. In the past, an individual came to the Council numerous times complaining about the noise from a trucking business on this property. She asked if that had been taken care of.

Director Appel stated some of the code violations have been taken care of or would be through the conditions of the Conditional Use Permit. He said he spoke with that individual, and he was satisfied now that the trucking business had been moved to another location on the site.

Mayor Lavagnino said he understood that the Cole's did not agree to the conditions of the Conditional Use Permit.

Director Appel replied that was correct; however, some of the more serious violations such as people living in trailers, have been resolved. Some businesses were still operating without permits. Resolving the final code compliance issues still required the conditions of the Conditional Use Permit.

Councilmember Zacarías asked if Director Appel was saying that because there were some individual businesses located on the property operating without permits, the Coles had to make all these improvements.

Director Appel explained the Coles were the landowners and were responsible for the activities that occurred on their property. He could understand how it would be hard for the Coles to keep tabs on some of the businesses because there were a lot of fenced-in areas with padlocks. The Coles have been working with staff to address some of the

issues, but a Conditional Use Permit was required for them to have the operations remaining on the property.

Mr. Cross stated the operation with the trucks was gone from that area. The Coles have worked with Code Compliance to alleviate those problems. Some of the things that were inside the property needed the Conditional Use Permit. The stickler for the Coles had always been the conditions that apply to Betteravia and "A" Street.

Councilmember Zacarías stated the Council has had this issue come up before where the industrial businesses were there first and then residential uses were introduced. She wanted to make sure there were no code compliance issues, and they were good neighbors. She would support the Planning Commission's recommendation as a minimum and would hope they would consider further improvements in the future. She would be concerned if the City continued to see code enforcement issues.

Councilmember Patino stated she had a problem with areas that look as blighted as this. The City was lowering its standards with the development agreement. The City and the applicant were so far apart on this. Up and down that street, businesses have been operating without business permits. She didn't know how the City could control it if it waived some of the conditions for the Coles.

Mr. Cross stated the fence and the cleanup were part of the Conditional Use Permit, and the Coles were agreeable to that. They couldn't get the permit for the fence because the Conditional Use Permit was still up in the air. Everybody at the Planning Commission meeting understood that there were budget constraints, but the Coles were willing to do everything they could to keep their doors open.

Councilmember Cordero stated it seems like this property has been in disagreement for many years. He would be in favor of coming a lot closer together on the conditions. The City and the applicant were just too far apart. There were things on the property that could have been done without a CUP. The City had to draw the line somewhere to get these properties up to code.

Mayor Lavagnino stated the Coles didn't want the Conditional Use Permit because they didn't want the conditions, so they wanted a development agreement. A development agreement was supposed to be a give and take where the applicants got something and the City got something. He read the conditions for the Conditional Use Permit and the applicant's negative response to the conditions of approval. He did not believe that the City could let the Coles skate on the conditions in fairness to other businesses. He said in reality, the Coles wanted the City to go away until they were ready to develop.

Mr. Cross stated the stickler was improvements to Betteravia Road and "A" Street. A lot of the conditions were very cost prohibitive to the applicant. The Coles were not developers. They were just a small business that was trying to become legal. It was not their fault that their property was annexed into the City, and all these conditions were being forced upon them.

Councilmember Zacarías stated she trusted the Planning Commission and their role to the City Council. The Planning Commission unanimously agreed that the cost was prohibitive for these applicants. She read the conditions in the Planning Commission's development agreement. The applicants were only asking to continue the businesses that were there now.

Councilmember Patino stated she would like to go look at the property. She did not want to see businesses go out of business. She suggested the item be continued to the next meeting.

Mr. Cross stated they would like to have the opportunity to evaluate all the conditions and put a price tag on each item.

Mayor Lavagnino stated he didn't want to put anyone out of business. The development agreement from the Planning Commission was not an agreement and was not in the best interest of the community. He suggested giving them sufficient time to work with staff on a new development agreement where they agree to do some of the things. He

could not support the development agreement the Planning Commission recommended. He did not know if a development agreement was the right way to go for this piece of property.

Director Appel stated he still thought a development agreement was possible. He asked for direction from Council on what conditions they could support.

Mayor Lavagnino stated he did not want the Council to prepare the development agreement. He wanted staff to work with the Coles and come up with something that was closer to what the Council could support. The Planning Commission's development agreement would be the bare minimum. He would support continuing this for 30 days.

City Manager Ness explained that 30 days would be the November 2nd City Council meeting which was Election Day. He suggested continuing the item to the November 16th meeting instead.

On motion by Councilmember Patino, seconded by Councilmember Cordero, and carried unanimously, this item was continued to the November 16th meeting.

CONCEPTUAL REVIEW OF PROPOSED EMPLOYEE PARKING LOT FOR THE CHUMASH CASINO.

Director of Community Development Appel gave the staff report. The City Council is asked to accept input from the Chumash Casino regarding a desire to develop a shuttle parking lot at 1223 Fairway Drive. The five plus acre parcel is currently vacant. The lot would provide parking for the 600 Casino employees living in the Santa Maria Valley. If developed, the lot would serve as a commuter point where employees could car pool or ride the Casino buses to and from work. It is anticipated that 250-300 spaces would be provided. A similar parking lot was recently constructed in the City of Lompoc for Chumash Casino employees living there. In addition to parking, the lot would include a guard kiosk, restroom facilities and landscaping along the perimeter and throughout the lot. In order to develop the parking lot, the applicant would need to obtain a general plan amendment and zone change to change the land use designation and zoning from M-1 (Light Manufacturing) to PF (Public Facilities and Institutional). If the Casino decides to move forward, a conditional use permit would be required in addition to the GPZ. The Chumash would like to receive direction from the City Council before they decided to move forward with purchase and development of the lot.

Greg Lowe, Executive Director of Chumash Casino, stated they had 1,600 employees at the Casino with 600 in the Santa Maria area. Ever since the Casino has been in business, there has been an every-hour shuttle to take the employees to the Casino. Their employees love it and it takes a lot of cars off the road. They have been negotiating with the owners, Verizon, to purchase the property. Before they did that, they wanted the Council's opinion on it.

Mayor Lavagnino stated he would not have any problems with the idea. He asked if there had been any discussion about the City maintaining the Casino buses, since the proposed parking lot would be contiguous to the City's bus maintenance yard.

Mr. Lowe stated Director Appel had mentioned that, and the Casino's Transportation Manager would be contacting either Director Appel or the City's maintenance contractor.

Councilmember Cordero stated he also felt he could support the parking lot. He said he just toured the Transit Center and learned about all the conservation measures that were incorporated into it. He asked if the Chumash had considered any conservation measures such as a water filtering system to filter the runoff water from the parking lot.

Mr. Lowe explained that they incorporated a storm-water runoff collection system at their Lompoc parking lot.

Councilmember Patino asked how many acres of M-1 property was available in the City.

Director Appel explained there were 849 acres of M-1 land, over 300 of which were in Area 9. There was plenty of M-1 zoned land.

Councilmember Zacarías asked how many parking spaces were in the Lompoc parking lot. She asked if this would be strictly for employees.

Mr. Lowe explained that there were about 179 parking spaces. There were fewer employees in Lompoc. Also, this property would need a bus turn-around which would take up some space. It would also accommodate a small number of guests.

Councilmember Zacarías stated safety was her main concern if it was not going to be just for employees. She had no objection to the parking lot. It was a wonderful way to support their employees. She would be a little bit more concerned about the safety of guests at the parking lot because employees probably received adequate safety training.

Mr. Lowe explained that in Lompoc, the guest parking was close to the guard shack. There was only one way in and out with a guard on duty 24 hours a day. There was plenty of lighting and eight video cameras with live feed back to the Casino that their dispatch area watched.

Mayor Lavagnino stated it appeared that the consensus of the Council was that they could move forward with purchase of the property.

STATUS REPORT ON NEIGHBORHOOD STABILIZATION PROGRAM (NSP) GRANT AND AUTHORIZATION TO TRANSFER PROPERTIES TO SUBRECIPIENT NON-PROFIT AGENCIES.

Community Programs Manager Coelho-Hudson gave the staff report. The City Council is being presented with a status report on the Neighborhood Stabilization Program Grant and a request to authorize the City Manager to execute the necessary documents for the transfer of three properties to Good Samaritan Shelter, Inc., Peoples' Self-Help Housing Corporation, and Habitat for Humanity Northern Santa Barbara County. The Neighborhood Stabilization Program (NSP) was authorized under the Housing and Economic Recovery Act (HERA) of 2008 that was approved by Congress in July 2008. This program is administered by the U. S. Department of Housing and Urban Development (HUD) at the Federal level and the Department of Housing and Community Development (HCD) at the State level. The NSP targets those areas experiencing particularly high foreclosure and property abandonment problems. The City was eligible as a direct grantee to the State for $1,258,602. Some eligible uses of the NSP grant funding include: the acquisition, rehabilitation and disposition of foreclosed properties; land banking; demolition of blighted, dilapidated structures; redevelopment of demolished or vacant properties; and financing mechanisms, such as down payment assistance and soft seconds.

In June 2009, the City Council conducted a public hearing and authorized staff to submit a NSP grant application to the State. In late August 2009, the State notified the City that its application had been approved for grant funding in the amount of $1,258,602. The approval was conditioned on compliance with the requirements of all applicable statutes, regulations, and guidelines of the NSP. In order to "obligate" NSP funding for rehabilitation of the NSP property, the property purchase had to be completed with the escrow closed, a rehabilitation work writeup and detailed cost estimate prepared, and an agreement executed with the subrecipient non-profit agency prior to the June 30th deadline. Working with the City's Code Compliance Division and several local real estate agents, staff was able to locate and purchase three properties. Also, agreements were negotiated with three subrecipient non-profit agencies: Good Samaritan Shelter, Inc., Peoples' Self-Help Housing Corporation, and Habitat for Humanity Northern Santa Barbara County. The properties purchased are: a duplex at 614 South Pine Street which will be owned and operated by Good Samaritan Shelter, Inc., for rental to a low-income households; a triplex at 607 West Cook Street will be owned and operated by Peoples' Self-Help Housing Corporation for rental to a low-income households; and a single family home at 819 Sombrero Way going to Habitat for Humanity Northern Santa Barbara County for resale to low-income household. All these properties will be renovated.

Councilmember Zacarías thanked Community Programs Manager Coelho-Hudson for the work in meeting the short deadlines. The City did not often get to build affordable housing, and this was a way to make it happen.

Resolution No. 2010-121 authorizing the transfer of the three properties was adopted on motion by Councilmember Zacarías, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Orach
ABSTAIN: None

Resolution No. 2010-121 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE TRANSFER OF THREE PROPERTIES ACQUIRED WITH NEIGHBORHOOD STABILIZATION PROGRAM (NSP) GRANT FUNDS TO THREE NON-PROFIT AGENCIES.

CITY MANAGER'S REPORT
City Manager Ness reported on items anticipated for the October 19, 2010, City Council meeting including proposed ordinances amending the Building Codes, the Fire Code, and an amendment to the Nuisance Abatement Ordinance.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Cordero reported he a attended meeting at Battles School as part of Peace Week, appeared on the Ben Heighes show, attended the Home Builder's Association Public Officials' Night at the Firestone Winery, the presentation of a Peace Chair at the Library, the City Employees Barbecue, Cruizin' For Life, had lunch with individuals regarding Future Search, attended the computer lab dedication at the Maldonado Center, the ribbon cutting at the Delta High School, met with Patricia Wilmore from PG & E, toured the Intermodal Transit Center, attended the 40th Birthday celebration for Peoples' Self-Help Housing, and another Future Search Leaders Meeting at United Way.

Councilmember Patino reported she attended the Home Builder's Association Public Officials' Night at Firestone Winery, an Alzheimer's Association fundraiser, the City Employees Barbecue, the League of Women Voters Candidates Forum, and the Filipino Community Annual Dinner and Awards Banquet.

Mayor Lavagnino reported he attended the CCWA meeting, the Home Builder's Association Public Officials' Night at Firestone Winery, the City Employees Barbecue the grand re-opening of the technology center at the Maldonado Youth Center, the grand opening of the new Delta High School, toured the new Transit Center, attended the Mayors and Managers meeting, the Mayors' luncheon, the Autumn Arts Reception, the Autumn Arts Grapes and Grains Festival, the Mayors' Ball, and met with Congresswoman Lois Capps at Suey Crossing regarding the Levee project.

Councilmember Zacarías reported she attended a workshop on home foreclosure scam prevention at the Library, a VITA planning meeting for tax preparation assistance, the City Employees barbecue, the Mayors Ball, and a Future Search meeting.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:35 p.m. by Mayor Lavagnino.

APPROVED

10/19/2010
Date

Deputy City Clerk and ex officio Clerk of the City Council

ATTEST

Deputy City Clerk

Mayor of the City of Santa Maria